

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: CHIH-CHANG CHU, ET AL.

SERIAL NO.: 10/538,477

FILED: June 7, 2005

FOR: INJECTABLE MICROSPHERES FROM AQUEOUS
TWO-PHASE SYSTEM

GROUP ART UNIT: 1796

EXAMINER: S.B. Haider

ATTY. REFERENCE: CHUC3007PCT/ESS

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF APPEALS

COMMISSIONER OF PATENTS

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Appeals from the decision dated: April 15
of the Primary Examiner finally rejecting claims: 1 and 3-7

The Appeal Fee is:

- ☐ enclosed ☐ \$500. ☒ \$270.
☐ not required (fee paid in prior appeal in this application).
☒ requested to be charged to Deposit Account Number 02-0200. A duplicate copy of this sheet is enclosed.

☒ Small Entity Status is claimed.

☒ The Commissioner is hereby authorized to charge any additional fees associated with this communication, including fees due under 37 CFR 1.16 and 37 CFR 1.17 or credit any overpayment to Deposit Account Number 02-0200. A duplicate copy of this sheet is enclosed.

Also enclosed: A PRE-APPEAL BRIEF REQUEST FOR REVIEW is enclosed.

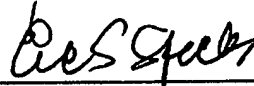
23364

Customer Number

Phone: (703) 683-0500

DATE: May 19, 2009

Respectfully submitted,



Eric S. Spector

Attorney for Applicant

Registration Number: 22,495